

**Introduced by Senator Strickland**

February 16, 2011

---

An act to amend Section 104150 of the Health and Safety Code, relating to cancer screening.

LEGISLATIVE COUNSEL'S DIGEST

SB 443, as introduced, Strickland. Breast and cervical cancer screening.

Existing law requires the State Department of Public Health to provide breast cancer and cervical cancer screening services to eligible low-income individuals under a federal grant made under the federal Centers for Disease Control and Prevention breast and cervical cancer early detection program.

This bill would make a technical, nonsubstantive change to this provision.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 104150 of the Health and Safety Code
- 2 is amended to read:
- 3 104150. (a) A provider or entity that participates in the grant
- 4 made to the department by the federal Centers for Disease Control
- 5 and Prevention breast and cervical cancer early detection program
- 6 established under Title XV of the Public Health Service Act (42
- 7 U.S.C. Sec. 300k et seq.) in accordance with requirements of
- 8 Section 1504 of that act (42 U.S.C. Sec. 300n) may only render
- 9 screening services under the grant to an individual if the provider

1 or entity determines that the individual's family income does not  
2 exceed 200 percent of the federal poverty level.

3 (b) The department shall provide for breast cancer and cervical  
4 cancer screening services under the grant at the level of funding  
5 budgeted from state and other resources during the fiscal year in  
6 which the Legislature has appropriated funds to the department  
7 for this purpose. These screening services shall not be deemed to  
8 be an entitlement.

9 (c) To implement the federal breast and cervical cancer early  
10 detection program specified in this section, the department may  
11 contract, to the extent permitted by Section 19130 of the  
12 Government Code, with public and private entities, or utilize  
13 existing health care service provider enrollment and payment  
14 mechanisms, including the Medi-Cal program's fiscal intermediary.  
15 However, the Medi-Cal program's fiscal intermediary shall only  
16 be utilized if services provided under the program are specifically  
17 identified and reimbursed in a manner that does not claim federal  
18 financial reimbursement. ~~Any contracts~~ *Contracts* with, and the  
19 utilization of, the Medi-Cal program's fiscal intermediary shall  
20 not be subject to Chapter 3 (commencing with Section 12100) of  
21 Part 2 of Division 2 of the Public Contract Code. Contracts to  
22 implement the federal breast and cervical cancer early detection  
23 program entered into by the department with entities other than  
24 the Medi-Cal program's fiscal intermediary shall not be subject  
25 to Part 2 (commencing with Section 10100) of Division 2 of the  
26 Public Contract Code.